Municipal Separate Storm Sewer System
Frequently Asked Questions

Why am I paying this new fee/tax?

Although it is actually a user fee collected by the storm water utility, understandably, many people view this user fee as a tax. This fee supports clean water in our streams and lakes by creating revenue for the storm water sewer operator to implement programs to improve or maintain clean water within their service area. The storm water sewer operator is most often the local city government or a sanitation district. Your local operator has been given the long-term responsibility of meeting water quality goals that were developed as part of the Clean Water Act. Protection of streams, rivers, and lakes has been required of all states by the Federal Government, and storm water regulation is a part of that protection. The public benefits from clean water, but the public also has to support it both in spirit and with financing.

Who determines the amount of the fee?

Storm water user fees are set by the local agency that manages the storm water program. The state does not regulate these charges.

Is there a cap on how much local governments can charge for this program?

Storm water sewer operators are sensitive to the fees that they need to collect. Numerous public forums have been held, and the public has had much opportunity for input into the storm water program in your community. Citizens may certainly express their concern to their county and city governments, or sanitation districts, as these are often co-permittees. These entities care that the user fees are fair, and they have attempted to implement a fee system that will protect water quality at a reasonable cost.

What is storm water?

Storm water is rain, snow and sleet that travel down into the storm drain, flowing directly into rivers, lakes and streams. In a separate storm water system, the storm water is not treated, so everything storm water collects, as it travels down the storm drain, ends up in our local waterways.

What is a Municipal Separate Storm Sewer System (MS4)?

The short summary is that it is a system for moving storm water to a stream, lake or ocean. It is separate in that it is not combined with the sanitary sewer system. The regulatory definition of an MS4 (40 CFR 122.26[b][8]) is "a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created to or pursuant to state law)...including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the Clean Water Act that discharges into waters of the United States, (ii) Designed or used for collecting or conveying stormwater; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW), as defined at 40 CFR 122.2."

Who is my storm water system operator?
In practical terms, most operators of MS4s are municipalities and local sewer districts, state and federal departments of transportation, universities, hospitals, military bases and correctional facilities. The Storm Water Phase II Rule added federal systems, such as military bases and correctional facilities by including them in the definition of small MS4s.

What types of MS4s does the KPDES Storm Water Program regulate?
For regulatory purposes, the KPDES storm water program regulates "medium," "large" and "small" MS4s. A medium MS4 is a system that is located in an incorporated place or county with a population between 100,000 - 249,999. A large MS4 is a system that is located in an incorporated place or county with a population of 250,000 or more. A regulated small MS4 is an MS4 located in an "urbanized area" (UA), as defined by the Bureau of the Census, or located outside of a UA and brought into the program by designation by the KPDES Branch.

Because I don't live in the city, why am I included?
A small percentage of people will be included although they may see themselves as outside the city. Some people are outside the city limits but within the urbanized area. The MS4 area is determined based on the service area of the MS4 and the urbanized area.

What ss an Urbanized Area (UA)?
UAs constitute the largest and most dense areas of settlement. UA calculations delineate boundaries around these dense areas of settlement and identify the areas of concentrated development. UA designations are used for several purposes in both the public and private sectors. For example, the federal government uses UAs to calculate allocations for transportation funding and planning. Agencies and developers use UA boundaries to help evaluate current and future growth areas.

The Bureau of the Census determines UAs by applying a detailed set of published UA criteria (see 55 FR 42592, October 22, 1990) to the latest census data. Although the full UA definition is complex, the Bureau of the Census' general definition of a UA, based on population and population density, is provided below.

An urbanized area is a land area comprising one or more places -- central place(s) -- and the adjacent densely settled surrounding area -- urban fringe -- that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile.

Note: The Bureau of the Census proposed a change in the definition of an urbanized area (see 66 FR 17018, March 28, 2001). A summary of the differences between the Census 1990 UA criteria and the 2000 UA criteria can be viewed at the Census Bureau's Web site.

Does a particular MS4 lie within an Urbanized Area?
For more information about UAs and how to determine if your MS4 is in a UA, you may want to see storm water urbanized maps at http://cfpub.epa.gov/npdes/stormwater/urbanmaps.cfm.

What are the minimum control measures required of the system operator?
There are six minimum control measures:

- Public education and outreach on storm water impacts.
- Public involvement/participation.
- Illicit discharge detection and elimination.
- Construction site storm water runoff control.
- Post-construction storm water management in new development and redevelopment.
- Pollution prevention/good housekeeping for municipal operations.

For further information on the minimum controls please visit:
http://cfpub.epa.gov/npdes/stormwater/menuofbmps/menu.cfm

Is my community regulated?
Yes. A Kentucky Pollutant Discharge Elimination System (KPDES) permit must be obtained by the operator/owner of an MS4 covered by the KPDES Storm Water Program. Please visit the following Web address for information on which Kentucky communities are listed:
http://www.water.ky.gov/NR/rdonlyres/4D145BE4-F9E5-4E91-B3DA-E8408EEBC147/0/Total_Targeted_Communities.xls

What can I do to make a difference at home?
Amazingly enough you can make a huge difference in stormwater quality by simply changing a few practices at home. Here are six easy steps: 1) wash your car on the lawn rather than the driveway, 2) mulch your grass clippings and leave them on the lawn, 3)sSweep sidewalk or driveway dirt onto the lawn and place debris in the trash, 4) pick up your pet waste and flush it in the toilet or bag it for landfill disposal, 5) target your use of fertilizers and sweep up excess and 6) target the use of pesticides/herbicides on your lawn and garden and take left over chemicals to a facility that accepts household hazardous waste.

What's the difference between a sanitary sewer and a storm sewer?
A sanitary sewer system and a storm drain system are not the same. These two systems are completely different. The water that goes down a sink or toilet in your home or business flows through a sanitary sewer to a wastewater treatment plant where it is treated and filtered. Water that flows down driveways and streets and into a storm sewer (MS4) flows directly to a lake, river or the ocean. This water may pick up pollutants along the way that are never treated.

What are the types of pollutants in storm water?
There are many types of pollutants that enter storm drains. Some common contaminants include motor oil, pesticides, brake dust, pet wastes, paint and household chemicals. For example:

- Sediments from soil erosion caused by unvegetated soils and by uncontrolled construction activity.
- Automotive and lawn equipment oil and grease leaking onto paved areas or improper disposal of used oil and other products into storm drains.
- Runoff of pesticides, herbicides and fertilizers from lawns, gardens, farms and golf courses.
- Organic contaminants from litter, yard trash, sludge, garbage from dumpsters and garbage cans, and pet and livestock wastes.

- Pathogens and excessive nutrients from sewer leaks and septic tanks overflowing or located in areas with high water tables.

Can the effects of the storm drain pollutants on our water be harmful?
These pollutants can have harmful effects on drinking water supplies, recreational use and wildlife. Some very popular beaches and lakes have even been closed because of contaminated storm water.

What else is being done to control storm water pollution?
The Federal Clean Water Act requires various industrial facilities, construction sites and urban areas to control the amount of pollutants entering their storm drain systems. Industrial facilities and construction sites are regulated by KPDES through general storm water permits. Cities and counties are regulated through permits issued by KPDES.

You can find out more information on the Internet:
http://www.water.ky.gov/permitting/wastewaterpermitting/KPDES/
http://www.sd1.org/
http://cfpub1.epa.gov/npdes/faqs.cfm?program_id=6
http://www.msdlouky.org/insidemsd/wwwq/ms4/index.htm
http://www.stormwatercenter.net/
http://www.lrc.state.ky.us/kar/TITLE401.HTM